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Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, D.C. 20554

FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF THE SECRETARY

In the Matter Of

Revision of 47 C.F.R. § 73.208
Reference Points and Distance
Computations

MM Docket No. 93-226

COMMENTS OF CBS INC.

CBS Inc. ("CBS") submits these comments in response to the Notice of Proposed Rulemaking released August 27, 1993 in this docket ("Notice"). Specifically, CBS wishes to voice its support for the Commission's proposal to require rounding of distance separation calculations to the nearest one hundredth of a kilometer where applicants are not in compliance with the Commission's minimum distance separation requirements. In addition, CBS suggests that the Commission require all applicants, whether or not short spaced, to demonstrate their compliance with the Commission's minimum distance separation rules by rounding their calculations off to the nearest hundredth of a kilometer.

1. Rounding Off For Already Short Spaced Stations

The Commission's current rounding off rule allows those applicants which are already short spaced to other stations to round off the distances separating them to the

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nearest kilometer, 47 C.F.R. §73.208(c)(8). As the Notice points out, this can lead to the anomalous result of increasing short spacing, rather than decreasing it. In the Notice's example, where Station A is short spaced to Station B by 1.51 kilometers, which rounds off to 2 kilometers, Station A could move .98 kilometers closer to Station B, so that it is then 2.49 kilometers short spaced, because 2.49 also rounds off to 2 kilometers. Thus, the present rounding rule could significantly increase the possibility of interference to Station B. Notice at ¶4.

The Notice's proposed rounding to the nearest hundredth of a kilometer eliminates this inconsistency, rounding 1.509 kilometers to 1.51 kilometers, not 2 kilometers. This allows the Commission more precision in protecting already short spaced stations from additional interference, so that a 1.51 kilometer short spacing could not be increased to a 2.49 kilometer short spacing. Since the Notice's proposal has the potential to avoid further interference on the FM band, CBS supports the change proposed in the Notice.

2. Rounding Off For Initial Minimum Distance Separation Calculations

At the same time, however, CBS urges the Commission to expand this proposal one step further. The proposed rounding off rule should also be used to determine

compliance with the Commission's minimum distance separation rules. See 47 C.F.R. §§73.207, 73.213(c) and 73.215(e).

The minimum distance separation rules set forth the distances between co-channel and adjacent channel stations prescribed by the Commission. Requiring stations to demonstrate compliance with these rules in their initial applications, by rounding off distances to the nearest hundredth of a kilometer, would allow the Commission more precision in avoiding short spacing and minimize the potential for new interference. This would be especially helpful to the Commission where two stations barely meet the minimum separation. For example, co-channel Class A stations must be at least 115 kilometers apart. Yet, under the current rules, a Class A station which is exactly 115 kilometers away from another could move .49 kilometers closer (so that it is now 114.51 kilometers away), creating a short spacing. Under the current rules, however, it would still be considered fully spaced, since after rounding off it would still be considered 115 kilometers away.

The result, under the Notice, would be that already short spaced stations would be subject to one standard (rounded off to one hundredth of a kilometer), while barely fully spaced stations would be subject to a looser standard

(rounded off to the nearest kilometer) -- and in fact, could become short spaced. The Commission does not need multiple standards for this type of issue*/. A single, consistent standard, rounding off to the nearest one hundredth of a kilometer, will reduce the potential for interference for both short spaced and fully spaced stations.

CONCLUSION

Accordingly, the Commission should require that all FM distance separation calculations be rounded off to one hundredth of a kilometer.

Respectfully submitted,

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*/ It should be noted that for television purposes, while calculations are done based on the formulas set forth in 47 C.F.R. §73.208, the Commission allows rounding off only to the nearest tenth of a kilometer. See 47 C.F.R. §73.611(d). CBS recognizes that this is different from the proposed FM standard, but is due to the propagation characteristics of television.